

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT ARKANSAS

JAN 27 2014

**FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

JAMES W. MCCORMACK, CLERK  
By: [Signature] DEP. CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
\_\_\_\_\_  
DIVISION

Jury Trial: ☒ Yes ☐ No  
(Check One)

CASE NO. \_\_\_\_\_

I. Parties

5:14-CV-22 KGB-JTK

In item A below, place your full name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

Name of plaintiff: MARCEESE O'BRIAN WATKINS  
ADC # N/A

Address: 807 Shady Lane McGehee AR, 71654

Name of plaintiff: \_\_\_\_\_  
ADC # \_\_\_\_\_

Address: \_\_\_\_\_

Name of plaintiff: \_\_\_\_\_  
ADC # \_\_\_\_\_

This case assigned to District Judge Baker  
and to Magistrate Judge Kearney

Address: \_\_\_\_\_

In item B below, place the full name of the defendant in the first blank, his official position in the second blank, his place of employment in the third blank, and his address in the fourth blank.

B. Name of defendant: JIM WHITE

Position: CHIEF OF MPD

Place of employment: McGehee City Jail

Address: P.O. BOX 135 McGehee AR, 71654

Name of defendant: \_\_\_\_\_

Position: \_\_\_\_\_

Place of employment: \_\_\_\_\_

Address: \_\_\_\_\_

Name of defendant: \_\_\_\_\_

Position: \_\_\_\_\_

Place of employment: \_\_\_\_\_

Address: \_\_\_\_\_

Name of defendant: \_\_\_\_\_

Position: \_\_\_\_\_

Place of employment: \_\_\_\_\_

Address: \_\_\_\_\_

II. Are you suing the defendants in:

- ☐ official capacity only  
☐ personal capacity only  
☒ both official and personal capacity

III. Previous lawsuits

- A Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action?

Yes \_\_\_ No ☒

- B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

- ☐ Parties to the previous lawsuit:

Plaintiffs: \_\_\_\_\_

\_\_\_\_\_

Defendants: \_\_\_\_\_

\_\_\_\_\_

- ☐ Court (if federal court, name the district; if state court, name the county):

- ☐ Docket Number: \_\_\_\_\_
- ☐ Name of judge to whom case was assigned: \_\_\_\_\_
- ☐ Disposition: (for example: Was the case dismissed? Was it appealed? Is it still pending?) \_\_\_\_\_
- ☐ Approximate date of filing lawsuit: \_\_\_\_\_
- ☐ Approximate date of disposition: \_\_\_\_\_

IV. Place of present confinement: McGehee City Jail

V. At the time of the alleged incident(s), were you:  
(check appropriate blank)

- ☒ in jail and still awaiting trial on pending criminal charges
- ☐ serving a sentence as a result of a judgment of conviction
- ☐ in jail for other reasons (e.g., alleged probation violation, etc.)  
explain: \_\_\_\_\_

VI. The Prison Litigation Reform Act (PLRA), 42 U.S.C. § 1997e, requires complete exhaustion of administrative remedies of all claims asserted, prior to the filing of a lawsuit. There is a prisoner grievance procedure in the Arkansas Department of Correction, and in several county jails. Failure to complete the exhaustion process provided as to each of the claims asserted in this complaint may result in the dismissal without prejudice of all the claims raised in this complaint.

Did you file a grievance or grievances presenting the facts set forth in this complaint?

Yes ☒ No ☐

Did you completely exhaust the grievance(s) by appealing to all levels within the grievance procedure?

Yes ☒ No ☐

If not, why? \_\_\_\_\_

## VII. Statement of claim

State here (as briefly as possible) the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

I Marceese Watkins was denied Medical attention here at McGehee City Jail. I wrote plenty of Medical grievances about my tooth aches. My jaw swoll and it was hard for me to speak. Finally the chief answered my grievance and he told me I should of had that taking care of when I was out on the Run. So they let me stay in here suffering the pain. So I want to ~~send~~ sue McGehee City Jail for pain and suffering. Also I still havent had any medical attention and I've been her for Four months and two days.

VIII. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I'll sue for a \$100,000.

I declare under penalty of perjury (18 U.S.C. § 1621) that the foregoing is true and correct.

Executed on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Marceese O. Watkins

\_\_\_\_\_  
Signature(s) of plaintiff(s)